

July 7, 2009

NOTICE OF WITHDRAWAL

The Department of Ecology (Ecology) withdraws the following CR-102 filing:

- WSR 09-02-079 (Filed January 7, 2009)
- Upper Kittitas Ground Water Rule, Chapter 173-539A WAC

The agency has decided to withdraw this rulemaking due to the following:

- In its public comments on WSR 09-02-079, Kittitas County demonstrated it did not support the Memorandum of Agreement between Ecology and Kittitas County.
- Ecology and Kittitas County mutually invoked the MOA's dispute resolution process, but the process has not resolved the parties' differences regarding questions of legal authority for specific portions of the proposed rule.
- Ecology and Kittitas County continue to negotiate in good faith.



Polly Zehm
Deputy Director
Department of Ecology

cc: Kittitas Rule File

<p>OFFICE OF THE CODE REVISER STATE OF WASHINGTON FILED</p> <p>DATE: July 07, 2009 TIME: 2:37 PM</p> <p>WSR 09-15-033</p>
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